

## REMARKS

Applicants respectfully request reconsideration of the present application in view of the above amendments and the reasons that follow.

### **Claims Rejections under 35 U.S.C. § 103**

On page 2 of the Office Action, claims 1-4, 6-8, 10-20 and 22-23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,091,343 (Dykema) in view of U.S. Pub. No. 2002/0180600 (Kirkland).

Claim 1 has been amended to recite a “wireless control system for mounting in a vehicle for wireless control of a remote electronic system” comprising, among other elements, “a control circuit ... configured to **retransmit the wireless control signal in response to reception, at the receiver circuit, of the status data**” (emphasis added).

Neither Dykema nor Kirkland disclose, teach or suggest a wireless control system for a vehicle configured to retransmit a wireless control signal in response to the reception of status data from a remote electronic system. Accordingly, Dykema, alone or in any proper combination with Kirkland does not disclose, teach or suggest, the “wireless control system for mounting in a vehicle for wireless control of a remote electronic system” as recited in amended Claim 1, having, among other features, “a control circuit ... configured to retransmit the wireless control signal in response to reception, at the receiver circuit, of the status data.” The Applicants respectfully submit that Claim 1 is patentable over any proper combination of Dykema and Kirkland.

To transform the Dykema and Kirkland into the wireless control system of Claim 1 would require still further modification. Such modification is **not** taught by Dykema, Kirkland, or any of the other references cited by the Examiner. The Examiner combines Suman (U.S. Patent No. 6,028,537) with Dykema and Kirkland to reject dependent Claims 5 and 21, which relate to a retransmission activity. The Examiner states that Suman teaches “[a] control signal from a control center may be retransmitted to a vehicle if no acknowledgement is received by the control center between a predetermined time period (see Col. 56, lines 9-29).” Applicants respectfully

submit that this disclosure of Suman (or any other disclosure of Suman) does not render independent Claim 1 obvious even if combined with Dykema and Kirkland.

The pertinent disclosure of Suman, as acknowledged by the Examiner, relates to a retransmission activity completed by a control center and does not relate to a wireless control system for a vehicle configured to retransmit a wireless control signal in response to a reception of status data from a remote electronic system. As further acknowledged by the Examiner, Suman teaches retransmission when no acknowledgement is received, which is different than retransmitting in response to the reception of status data. Accordingly, not only does Suman teach retransmission by the wrong device and in the wrong direction relative to the Claim 1, but Suman's disclosure teaches retransmission in response to the wrong behavior. A *prima facie* case of obviousness requires that the prior art references teach or suggest all of the claimed limitations. Because none of Dykema, Kirkland and Suman disclose, teach, or suggest "a control circuit ... configured to retransmit the wireless control signal in response to reception, at the receiver circuit, of the status data," Applicants respectfully submit that the combination of Dykema, Kirkland and Suman cannot render Claim 1 obvious absent some objective teaching or reasoning that would have lead one of ordinary skill in the art, at the time of the invention, to modify the combination of Dykema, Kirkland and Suman to arrive at the claimed invention. Applicants respectfully submit that the references do not include such a teaching. Yet further, Applicants respectfully submit that one of skill in the art, at the time of the invention, would not have been motivated to combine the pertinent disclosure of Suman with Dykema and Kirkland because Suman's disclosure at col. 56 relates to sending a command to a vehicle from a service control center and one of skill in the art would not have thought to integrate service control center features into a vehicle absent some teaching to do so.

Claim 12 recites "a method of receiving status information from a remote electronic system" comprising, in combination with other steps, "causing retransmission of the wireless control signal in response to the reception of the wireless status signal from the remote electronic system" (as amended). For at least the same reasons as explained above with respect to Claim 1,

any proper combination of Dykema, Kirkland and/or Suman does not disclose, teach or suggest “a method of receiving status information from a remote electronic system” comprising, in combination with other steps, “causing retransmission of the wireless control signal in response to the reception of the wireless status signal from the remote electronic system.”

Claim 17 recites “a wireless control system for mounting in a vehicle” comprising, in combination with other elements, a “control program is configured to retransmit the wireless control signal in response to reception, at the receiver, of the status data” (as amended). For at least the same reasons as explained above with respect to Claim 1, any proper combination of Dykema, Kirkland and/or Suman does not disclose, teach or suggest “a wireless control system for mounting in a vehicle” comprising, in combination with other elements, a “control program is configured to retransmit the wireless control signal in response to reception, at the receiver, of the status data.”

#### **Dependent Claims**

Dependent Claims 2-4, 6-8 and 10-11, which depend from independent Claim 1, are also patentable for at least the same reasons as presented above with respect to Claim 1. Dependent Claims 13-16, which depend from independent Claim 12, are also patentable for at least the same reasons as presented above with respect to Claim 12. Dependent Claims 18-20 and 22-23, which depend from independent Claim 17, are also patentable for at least the same reasons as presented above with respect to Claim 17.

#### **Claim 24**

On page 7 of the Office Action, Claim 24 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Dykema in view of Kirkland and further in view of U.S. Patent No. 5,896,575 (Higginbotham). Dependent Claim 24, which depends from independent Claim 17, is patentable over Dykema and Kirkland for at least the same reasons as presented above with respect to Claim 17. Higginbotham does not cure the deficiencies noted above with respect to Claim 17. Claim 24 is therefore patentable over Dykema, Kirkland, and/or Higginbotham.

Claim 9

On page 8 of the Office Action, Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Dykema in view of Kirkland and further in view of U.S. Patent No. 6,426,820 (Verzulli). Dependent Claim 9, which depends from independent Claim 1, is patentable over Dykema and Kirkland for at least the same reasons as presented above with respect to Claim 1. Verzulli does not remedy the deficiencies noted above with respect to Claim 1. Claim 9 is therefore patentable over Dykema, Kirkland, and/or Verzulli.

Claims 25-26

On page 9 of the Office Action, Claims 25-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dykema in view of Kirkland and further in view of U.S. Patent No. 5,905,433 (Wortham). Dependent Claims 25-26, which depend from independent Claim 17, are patentable over Dykema and Kirkland for at least the same reasons as presented above with respect to Claim 17. Wortham does not remedy the deficiencies noted above with respect to Claim 17. Claims 25-26 are therefore patentable over Dykema, Kirkland, and/or Wortham.

Claims 5 and 21

On page 10 of the Office Action, Claims 5 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dykema in view of Kirkland and further in view of Suman. Dependent Claim 5, which depends from independent Claim 1, is patentable over Dykema and Kirkland for at least the same reasons as presented above with respect to Claim 1. Dependent Claim 21, which depends from independent Claim 17, is patentable over Dykema and Kirkland for at least the same reasons as presented above with respect to Claim 17. Suman does not cure the deficiencies noted above with respect to independent Claims 1 and 17. Claims 5 and 21 are therefore patentable over Dykema, Kirkland, and/or Suman.

Claims 27-28

On page 10 of the Office Action, Claims 27-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dykema in view of Kirkland and further in view of U.S. Patent No.

5,761,206 (Kackman). Dependent Claim 27, which depends from independent Claim 1, is patentable over Dykema and Kirkland for at least the same reasons as presented above with respect to Claim 1. Kackman does not remedy the deficiencies noted above with respect to Claim 1. Dependent Claim 28, which depends from independent Claim 12, is patentable over Dykema and Kirkland for at least the same reasons as Claim 12. Kackman does not remedy the deficiencies noted above with respect to Claim 12. Claims 27-28 are therefore patentable over Dykema, Kirkland, and/or Kackman.

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Applicants respectfully request withdrawal of the rejections of Claims 1-28 under 35 U.S.C. § 103(a). Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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